

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT H. CARP,

Plaintiff,

V.

**ANDREW SWAYSE, WAYNE SAUSMER,
XANTHI GIONIS, BESSIE GIONIS,
THOMAS ROWE, and JOHN DOES #1-3,**

Defendants.

Civil No.
14-13230-FDS

ORDER TO SHOW CAUSE

SAYLOR, J.

This is a diversity action alleging defamation, tortious interference with business relations, and breach of contract. Plaintiff Robert H. Carp has brought suit against defendants Andrew Swayse, Wayne Sausmer, Xanthi Gionis, Bessie Gionis, Thomas Rowe, and three unknown defendants.

On August 5, 2014, plaintiff filed the complaint in this case. The summons issued on August 6, 2014.

Pursuant to Fed. R. Civ. P. 4,

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

More than 120 days have passed since the complaint was filed in this matter. The docket does not indicate that any defendant has been served. Accordingly, plaintiff is hereby

ORDERED to show cause in writing on or before February 2, 2015, why this matter should not be dismissed for failure to serve any of the defendants. Absent good cause shown, this matter will be dismissed.

So Ordered.

Dated: January 5, 2015

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge